

## **IC 20-5-39**

### **Chapter 39. Use of Abandoned School Property in Certain Cities**

#### **IC 20-5-39-1**

##### **Authorization to use abandoned school property for park purposes**

Sec. 1. In any third class city within the state, in which the school corporations of such cities have purchased, in the name of said school corporations, real estate to be used for school purposes, and the use of which real estate shall have since been abandoned for school purposes, it shall be lawful for the school trustees of said school corporations to authorize the use of such real estate for park purposes, in the manner and as provided by this chapter.

*(Formerly: Acts 1915, c.158, s.1.) As amended by Acts 1981, P.L.44, SEC.21.*

#### **IC 20-5-39-2**

##### **Conditions and restrictions for park purposes**

Sec. 2. No money shall be expended out of the school corporation treasury for the maintenance of such abandoned school grounds for park purposes, but the board of school trustees of any school corporation in third class city owning such abandoned school grounds may, by an order entered of record, permit the use of such abandoned school grounds by any third class city for park purposes, fixing in such order the conditions, restrictions and limitations within which the third class city may take and use such abandoned school grounds for such park purposes.

*(Formerly: Acts 1915, c.158, s.2.) As amended by Acts 1981, P.L.44, SEC.22.*

#### **IC 20-5-39-3**

##### **Acceptance of abandoned school property and cemeteries for park purposes**

Sec. 3. Any third class city within this state may, by an ordinance of the common council, accept from the school corporation of any such city the use of any real estate, being abandoned school grounds, as provided by this chapter, or any such city may, by ordinance of the common council, accept from any person or persons for any definite time not less than five (5) years the use of any real estate in such city formerly used for cemetery purposes, having been abandoned and the bodies having been removed therefrom, and any such city is hereby given the right, power and authority, through their common councils, to use and maintain and keep in condition any such real estate for park purposes for the use of the general public, in the manner and under the same conditions and restrictions and limitations as are provided by law for the use and control and maintenance of park properties by such cities, in every way and to the same extent as if the city owned said real estate in its own name and right; and the third class cities shall have the power and authority to accept by city ordinance such real estate for park purposes under the order of the school trustees of the school corporation as provided by this chapter,

or from such person or persons.

*(Formerly: Acts 1915, c.158, s.3.) As amended by Acts 1981, P.L.44, SEC.23.*

#### **IC 20-5-39-4**

##### **Title to real estate to remain in school corporation**

Sec. 4. The title to the real estate shall remain in the school corporation, and the use by third class cities shall continue so long as the cities continue to maintain the real estate as a public park.

*(Formerly: Acts 1915, c.158, s.4.) As amended by Acts 1981, P.L.44, SEC.24.*

#### **IC 20-5-39-5**

##### **Repossession, sale, or conveyance of real estate when city abandons property**

Sec. 5. If at any time after such real estate has been accepted for park purposes as aforesaid, such cities shall abandon the use of such real estate for park purposes, it shall be lawful for the school trustees of such school corporation so owning said real estate to take possession of said real estate, and to sell and convey said real estate in the manner now or hereafter provided by law.

*(Formerly: Acts 1915, c.158, s.5.)*